

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

MDL No. 2419
Dkt. No. 1:13-md-2419 (RWZ)

THIS DOCUMENT RELATES TO:

All Actions

MDL Order No. ____
ORDER REGARDING COMMON ISSUE DISCOVERY

May____, 2015

This Amended Order Regarding Common Issue Discovery is intended to amend and supplement the Court's previous MDL Order Nos. 9 and 9B ("Order No. 9") and to provide a reasonable timetable for discovery on Common Issues as it relates to those defendants who currently have cases pending in the MDL and are not subject to a proposed settlement pending in the bankruptcy court. This Order is entered in response to the parties' various motions regarding a discovery schedule, and after careful consideration of the arguments made by all parties.

This Order amends Order No. 9 by extending the deadline for Common Issue discovery as to the Premier Defendants Given the submissions by the PSC and the Premier Defendants and the current status of discovery concerning cases involving the Premier Defendants,

the Court believes an extension of discovery dates originally set forth in CMO 9 is warranted. Accordingly, the Court sets the following schedule related to all pre-trial matters in claims against Premier Defendants pending in the MDL:

Event	Deadlines
Close of Common Fact Discovery	12/15/15
Bellwether proposal submitted to Court	11/15/15
Responses to Bellwether Protocols	12/01/15
Close of Case Specific Bellwether Discovery	2/15/16
Plaintiff's Initial Expert Disclosures and Proffer of Deposition Dates	3/15/16
Defense Expert Disclosures and Proffer of Deposition Dates	5/1/16
Deadline For Expert Depositions	9/01/16
Dispositive Motions and <i>Daubert</i> Motions filed	10/15/16
Oppositions to Dispositive Motions and <i>Daubert</i> Motions filed	11/01/16
Replies in Support of Dispositive Motions and <i>Daubert</i> Motions filed	11/15/16
Hearing on Dispositive Motions and <i>Daubert</i> Motions	December 2016
Final Pre-Trial Hearing	January 2017
Cases are Trial Ready	February 2017

So Ordered.

JENNIFER C. BOAL
UNITED STATES DISTRICT
COURT MAGISTRATE JUDGE